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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	NO. CR 21-164 CRB
)	
Plaintiff,)	STIPULATION TO SET BRIEFING SCHEDULE
)	AND HEARING DATE AND EXCLUDE TIME
v.)	UNDER THE SPEEDY TRIAL ACT FROM MAY
)	24, 2023, TO JUNE 16, 2023
DOUGLAS JAE WOO KIM,)	
)	
Defendant.)	

On February 9, 2023, the parties filed a stipulation and proposed order setting the following briefing schedule for motions to be filed by the Defendant:

- Defendant's Motions due March 29, 2023
- Government's Oppositions due April 19, 2023
- Defendant's Replies (if any) due May 10, 2023

The Defendant filed three motions on March 29, 2023: two motions to dismiss, and one motion to suppress. The government asked if the Defendant would consent to an extra week for the government to oppose the motions, and the Defendant agreed. The parties agreed that Defendant should have the same time granted the government to file his replies, if any. The parties agree that the briefing schedule is now the following:

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- Government's Oppositions due April 26, 2023.
- Defendant's Replies, if any, due May 24, 2023.

A hearing on the Motions is currently set for May 24, 2023. The parties checked with the Court and the Court requested to move the hearing on the Motions to June 16, 2023 at 1:30 P.M. That date and time works for both parties.

Based on the foregoing, the parties request the Court adopt the briefing schedule set forth above and set a hearing on the Motions for June 16, 2023. The parties also agree and jointly request that the time between May 24, 2023, and June 16, 2023 be excluded under the Speedy Trial Act in order to provide reasonable time necessary for the effective preparation of counsel, pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv). The parties agree that the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial.

IT IS SO STIPULATED.

DATED: April 13, 2023

/s/
ROSS WEINGARTEN
Assistant United States Attorney

DATED: April 13, 2023

/s/
DEAN PAIK
Counsel for Defendant Douglas Jae Woo Kim

[PROPOSED] ORDER

Based upon the facts set forth in the stipulation of the parties and the representations made to the Court and for good cause shown, the Court adopts the briefing schedule requested by the parties, sets a hearing on the forthcoming Motions on June 16, 2023 at 1:30 PM, and finds that the exclusion of time from May 24, 2023, through and including June 16, 2023, is warranted and that the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). The failure to grant the requested continuance would deny effective

1 preparation of counsel and would result in a miscarriage of justice. 18 U.S.C. §§ 3161(h)(7)(B)(iv).

2 IT IS SO ORDERED.

3
4 DATED: _____

5 CHARLES R. BREYER
United States District Judge